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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/743,312	BAUMERT ET AL.
	Examiner	Art Unit	
	YAN LU CHEN	2146	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _19 December 2007_.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-11,13-22,25-27 and 29-31_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-11,13-22,25-27 and 29-31_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-8, 10, 11, 13-20, 22, 25, 26 and 29-31 are rejected under 35

U.S.C. 102(e) as being anticipated by 6675196 B1 (hereinafter Kronz).

Regarding claim 1, Kronz teaches:

A system for facilitating interaction between a device and a device environment, the

system comprising:

        a detection module for automatically detecting proximity of a participant within the

device environment (column 5, lines 46-52, 66-67 and column 6, teach the device

connected in the device environment are connect through input interface, where "The

input interface may include one or more of a variety of interfaces, including but not

limited to, an RS-232 serial port interface or other serial port interface, a parallel port

interface, a universal serial bus (USB), an optical interface such as infrared or IRDA, an

RF or wireless interface such as Bluetooth, or other interface ", "The computing device

10 may operate in a networked environment using logical connections to one or more

remote systems"); and

a list of nearby devices for each devices (column 17, lines 62-64, "the server

device sends the client device a type-response comprising a list of device and service

identifiers"; column 2, lines 35-38, "the server device responds by transmitting one or

more device/service identifiers back to the client devices"); and

a user-configurable authorization module for authorizing the device to adjust a

device user interface in a pre-determined manner in response to the detection of the

participant (column 5, lines 19-26, "The computing device 10 may access one or more

external display devices 30 such as a CRT monitor, LCD panel, LED panel, electro-

luminescent panel, or other display device, for the purpose of providing information or

computing results to a user. The processing unit 12 interfaces to each display device 30

through a video interface 20 coupled to the processing unit over system bus 18.").

Regarding claim 2, Kronz teaches:

The system of claim 1, wherein the user-configurable authorization module identifies the

device as one of a controlling device or a controlled device (column 5, lines 53-58, "The

computing device 10 may send output information, in addition to the display 30, to one

or more output devices 36 such as a speaker, modem, printer, plotter, facsimile

machine, RF or infrared transmitter, or any other of a variety of devices that can be

controlled by the computing device 10.").

Regarding claim 3, Kronz teaches:

The system of claim 2, wherein the controlling device comprises shared resources for sharing with the controlled device (column 1, lines 57-67, "The present invention includes a protocol and a method for facilitating communication between various electronic devices and the sharing of features, functionality and information between these devices. In general, the present invention is directed towards a protocol by which one device (the "client device") can discover what services are offered by another device (the "server device"). Utilizing this protocol, the client device can take advantage of the services of the server device.").

Regarding claim 4, Kronz teaches:

The system of claim 1, wherein the detection module detects one of an active participant and a passive participant (column 5, lines 53-58, "The computing device 10 may send output information, in addition to the display 30, to one or more output devices 36 such as a speaker, modem, printer, plotter, facsimile machine, RF or infrared transmitter, or any other of a variety of devices that can be controlled by the computing device 10"; The controlling device (computing device 10) is the active participant and the device being controlled is the passive participant.).

Regarding claim 5, Kronz teaches:

The system of claim 4, wherein the detection module detects a passive participant and the device user interface adjusted is a detecting device user interface (column 5, lines

19-23, "The computing device 10 may access one or more external display devices 30

such as a CRT monitor, LCD panel, LED panel, electro-luminescent panel, or other

display device, for the purpose of providing information or computing results to a user;

Abstract "In general, a client device and a server device communicate with each other

over a communications link utilizes the common protocol", where the client device is

constitute as the passive device.).

Regarding claim 6, Kronz teaches:

The system of claim 4, wherein the detection module detects an active participant and

the user-configurable authorization module authorizes adjustment of the device user

interface of a detected active participant (column 5, lines 19-23, "The computing device

10 may access one or more external display devices 30 such as a CRT monitor, LCD

panel, LED panel, electro-luminescent panel, or other display device, for the purpose of

providing information or computing results to a user; Abstract "In general, a client device

and a server device communicate with each other over a communications link utilizes

the common protocol", where the server device is constitute as the active device.).

Regarding claim 7, Kronz teaches:

The system of claim 1, wherein the user-configurable authorization module includes an

authorization status to control another device (column 2, lines 51-52, "the server device

responds to each such command by sending a status code back to the client device.").

Regarding claim 8, Kronz teaches:

The system of claim 1, wherein the user-configurable authorization module includes an authorization status to be controlled by another device (column 5, lines 56-58, "variety of devices that can be controlled by the computing device 10", which indicates that the computing device has a control status).

Regarding claim 10, Kronz teaches:

The system of claim 2, further comprising a command and control translation module for receiving instructions from a user regarding actions to be taken by the controlling device (column 6, lines 53-60, "in its client role, a laptop computer might need to retrieve data from a PDA carried by a user, and then in its server role, the laptop might be called on by the user to provide a telephone number directly to a cellular telephone. Thus, the laptop functions as both a client device and a server device.").

Regarding claim 11, Kronz teaches:

The system of claim 10, further comprising a UI element manager for taking directions from the command and control translation module (column 5, lines 40-52, "The computing device 10 may receive input or commands from one or more input devices 34 such as a keyboard, pointing device, mouse, modem, RF or infrared receiver, microphone, joystick, track ball, light pen, game pad, scanner, camera, or the like. The processing unit 12 interfaces to each input device 34 through an input interface 24 coupled to the processing unit 12 over system bus 18"; column 6, lines 13-25 "The

program modules may include an operating system, application programs, other

program modules, and program data. The processing unit 12 may access various

portions of the program modules in response to the various instructions contained

therein, as well as under the direction of events occurring or being received over the

input interface 24 and the network interface 28.").

Regarding claim 13, Kronz teaches:

A method for facilitating interaction between a device and a device environment, the

method comprising:

      detecting a participant present within the device environment (column 5, lines 46-

52, 66-67 and column 6, teach the device connected in the device environment are

connect through input interface, where "The input interface may include one or more of

a variety of interfaces, including but not limited to, an RS-232 serial port interface or

other serial port interface, a parallel port interface, a universal serial bus (USB), an

optical interface such as infrared or IRDA, an RF or wireless interface such as

Bluetooth, or other interface ", "The computing device 10 may operate in a networked

environment using logical connections to one or more remote systems"); and

      maintaining a list of nearby devices for each device (column 17, lines 62-64, "the

server device sends the client device a type-response comprising a list of device and

service identifiers"; column 2, lines 35-38, "the server device responds by transmitting

one or more device/service identifiers back to the client devices"); and

adjusting a device user interface based on user-configured rules set forth in a

device authorization module in response to the detection of the participant (column 5,

lines 19-26, "The computing device 10 may access one or more external display

devices 30 such as a CRT monitor, LCD panel, LED panel, electro-luminescent panel,

or other display device, for the purpose of providing information or computing results to

a user. The processing unit 12 interfaces to each display device 30 through a video

interface 20 coupled to the processing unit over system bus 18.").

Regarding claim 14, Kronz teaches:

The method of claim 13, further comprising identifying the device as one of a controlling

device or a controlled device using the authorization module device (column 5, lines 53-

58, "The computing device 10 may send output information, in addition to the display

30, to one or more output devices 36 such as a speaker, modem, printer, plotter,

facsimile machine, RF or infrared transmitter, or any other of a variety of devices that

can be controlled by the computing device 10.").

Regarding claim 15, Kronz teaches:

The method of claim 14, further comprising sharing resources from the controlling

device with the controlled device (column 1, lines 57-67, "The present invention includes

a protocol and a method for facilitating communication between various electronic

devices and the sharing of features, functionality and information between these

devices. In general, the present invention is directed towards a protocol by which one

device (the "client device") can discover what services are offered by another device (the "server device"). Utilizing this protocol, the client device can take advantage of the services of the server device.").

Regarding claim 16, Kronz teaches:

The method of claim 13, further comprising detecting one of an active participant and a passive participant (column 5, lines 53-58, "The computing device 10 may send output information, in addition to the display 30, to one or more output devices 36 such as a speaker, modem, printer, plotter, facsimile machine, RF or infrared transmitter, or any other of a variety of devices that can be controlled by the computing device 10"; The controlling device (computing device 10) is the active participant and the device being controlled is the passive participant.).

Regarding claim 17, Kronz teaches:

The method of claim 13, further comprising detecting a passive participant and authorizing a detecting device to adjust the device user interface of the detecting device (column 5, lines 19-23, "The computing device 10 may access one or more external display devices 30 such as a CRT monitor, LCD panel, LED panel, electro-luminescent panel, or other display device, for the purpose of providing information or computing results to a user; Abstract "In general, a client device and a server device communicate with each other over a communications link utilizes the common protocol", where the client device is constitute as the passive device.).

Regarding claim 18, Kronz teaches:

The method of claim 17, wherein the passive participant has an RFID tag and the

detecting device launches an application in response to the detection of the RFID tag

(column 6, lines 13-25, "The program modules may include an operating system,

application programs, other program modules, and program data", column 5, lines 40-

52, "RF or infrared receiver", column 2, lines 35-44, "the server device responds by

transmitting one or more device/service identifiers back to the client device. Each

device/service identifier is unique").

Regarding claim 19, Kronz teaches:

The method of claim 17, further comprising detecting an active participant, and

authorizing adjustment of the active participant user interface (column 5, lines 19-23,

"The computing device 10 may access one or more external display devices 30 such as

a CRT monitor, LCD panel, LED panel, electro-luminescent panel, or other display

device, for the purpose of providing information or computing results to a user; Abstract

"In general, a client device and a server device communicate with each other over a

communications link utilizes the common protocol", where the server device is

constitute as the active device.).

Regarding claim 20, Kronz teaches:

The method of claim 13, further comprising providing an authorization status as one of controlled or controlling (column 5, lines 56-58, "variety of devices that can be controlled by the computing device 10", which indicates that the computing device has a control status).

Regarding claim 22, Kronz teaches:

The method of claim 14, further comprising receiving instructions from a user regarding actions to be taken by the controlling device (column 6, lines 53-60, "in its client role, a laptop computer might need to retrieve data from a PDA carried by a user, and then in its server role, the laptop might be called on by the user to provide a telephone number directly to a cellular telephone. Thus, the laptop functions as both a client device and a server device").

Regarding claim 25, Kronz teaches:

A system for sharing resources among multiple participating devices, wherein each of the multiple participating devices has a device specific set of application resources, the system comprising:

a detection module for detecting proximity of a first participating device to a second participating device (column 5, lines 46-53, 66-67 and column 6, teach the device connected in the device environment are connect through input interface, where "The input interface may include one or more of a variety of interfaces, including but not limited to, an RS-232 serial port interface or other serial port interface, a parallel port

interface, a universal serial bus (USB), an optical interface such as infrared or IRDA, an

RF or wireless interface such as Bluetooth, or other interface ", "The computing device

10 may operate in a networked environment using logical connections to one or more

remote systems"); and

      a nearby device list for maintaining a record of device locations (column 17, lines

62-64, "the server device sends the client device a type-response comprising a list of

device and service identifiers"; column 2, lines 35-38, "the server device responds by

transmitting one or more device/service identifiers back to the client devices"); and

      a configurable resource regulation mechanism for making the device specific

application resources from the second participating device available to the first

participating device (column 1, lines 57-67, "The present invention includes a protocol

and a method for facilitating communication between various electronic devices and the

sharing of features, functionality and information between these devices. In general, the

present invention is directed towards a protocol by which one device (the "client

device") can discover what services are offered by another device (the "server device").

Utilizing this protocol, the client device can take advantage of the services of the server

device.").

Regarding claim 26, Kronz teaches:

The system of claim 25, further comprising a user-configurable authorization module for

providing each participating device with an authorization status as one of a controlled

device and a controlling device (column 5, lines 53-58, "The computing device 10 may

send output information, in addition to the display 30, to one or more output devices 36

such as a speaker, modem, printer, plotter, facsimile machine, RF or infrared

transmitter, or any other of a variety of devices that can be controlled by the computing

device 10.").

Regarding claim 29, Kronz teaches:

A method for facilitating resource sharing between multiple devices, the method

comprising:

      allowing a user to configure regulation of shared resources between multiple

participating devices (column 6, lines 48-60, "in its client role, a laptop computer might

need to retrieve data from a PDA carried by a user, and then in its server role, the

laptop might be called on by the user to provide a telephone number directly to a

cellular telephone."); and

      maintaining a list of participating devices based on proximity to a first

participating device (column 17, lines 62-64, "the server device sends the client device a

type-response comprising a list of device and service identifiers"; column 2, lines 35-38,

"the server device responds by transmitting one or more device/service identifiers back

to the client devices"); and

      enabling regulation of device resources based on proximity of a first participating

device to a second participating device , wherein regulation includes making device

specific application resources of the first participating device available to the second

participating device (column 1, lines 57-67, "The present invention includes a protocol

and a method for facilitating communication between various electronic devices and the

sharing of features, functionality and information between these devices. In general, the

present invention is directed towards a protocol by which one device (the "client

device") can discover what services are offered by another device (the "server device").

Utilizing this protocol, the client device can take advantage of the services of the server

device.").

Regarding claim 30, Kronz teaches:

The method of claim 29, further comprising identifying each device as one of a

controlling device and a controlled device using an authorization module (column 5,

lines 53-58, "The computing device 10 may send output information, in addition to the

display 30, to one or more output devices 36 such as a speaker, modem, printer, plotter,

facsimile machine, RF or infrared transmitter, or any other of a variety of devices that

can be controlled by the computing device 10.").

Regarding claim 31, Kronz teaches:

The method of claim 30, further comprising sharing resources from the controlling

device with the controlled device (column 1, lines 57-67, "The present invention includes

a protocol and a method for facilitating communication between various electronic

devices and the sharing of features, functionality and information between these

devices. In general, the present invention is directed towards a protocol by which one

device (the "client device") can discover what services are offered by another device

(the "server device"). Utilizing this protocol, the client device can take advantage of the

services of the server device.").

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 9, 21 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Kronz as applied to claims 1, 20 and 26 above, and further in view of US

2003/0037284 A1 (hereinafter Srinivasan et al.).

        Kronz teaches the limitation of claims 1, 20 and 26 for the reasons above.

        Kronz does not explicitly disclose that the method/system include (an arbitration

mechanism for) resolving disputes between devices having an identical authorization

status.

        Srinivasan et al. teach a system and method for resolving a multiple mastership

situation by retaining only one master server (see paragraph [0063]).

        It would have been obvious to one of ordinary skill in the art, having the teaching

of Kronz and Srinivasan et al. before them at the time the invention was made to modify

the system of Kronz to include an arbitration mechanism to resolve dispute in regard to

existence of multiple mastership situation as taught by Srinivasan et al.

One of ordinary skill in the art would have been motivated to make this
modification in order to prevent communication confusion as to which controller the
controlled device should respond to in view of Srinivasan et al.

Response to Arguments

5.   Applicant's arguments filed on 12/19/2007 have been fully considered but they
are not persuasive.

6.   In the remarks, applicant argued that:

(1) Kronz does not describe a system including "a list of nearby devices for each
devices" recited in claims 1 and 13.

(2) Kronz does not describe a system including "a nearby device list for
maintaining a record of device locations" recited in claim 25.

(3) Kronz does not describe a system including "maintaining a list of participating
devices based on proximity to a first participating device" recited in claim 29.

(4) Srinivasan does not teach or suggest a "list of nearby devices" or a "nearby
device list".

(5) Srinivasan does not include a user-configurable authorization module.

7.   In response to points (1) and (2), the word "nearby" is a term of degree and the
phrase "nearby device for each devices" is broadly interpreted as devices that are part
of the network. Kronz teaches a communication system where a list of devices that are
available to provide service to a client device is send to the client device (column 17,
lines 62-64, "the server device sends the client device a type-response comprising a list

of device and service identifiers"; column 2, lines 35-38, "the server device responds by transmitting one or more device/service identifiers back to the client devices").

8.   In response to point (3), the word "proximity" is a term of degree and the phrase "list of participating devices based on proximity to a first participating device" is broadly interpreted as being devices within a logical proximity, where the logical proximity, for instance, are devices in the same network. Kronz teaches a communication system where a list of devices that are available to provide service to a client device is send to the client device (column 17, lines 62-64, "the server device sends the client device a type-response comprising a list of device and service identifiers"; column 2, lines 35-38, "the server device responds by transmitting one or more device/service identifiers back to the client devices").

9.   As to point (4), see response to points (1)-(3) above for details of this disclosure.

10.   As to point (5), in response to applicant's arguments against the reference individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. Kronz teaches a system where user can have input that govern the processes or usage of the program modules (column 5, lines 40-41, "the computing device 10 may receive input or commands from one or more input devices 34 such as a keyboard, pointing device, mouse ..."; column 6, lines 21-25, "the processing unit 12 may access various portions of the program modules in response to the various instructions contained therein, as well as under the direction of events occurring or being received over the input interface 24 and the network interface 28"; column 6, lines 50-52, "the client/server devices 204-205 may be

capable of instructing other server devices to carry out a designated function"). Kronz does not explicitly disclose that those program modules are the arbitration module. Srinivasan teaches an arbitration module for resolving disputes between devices (see the discussions regarding claim 9 above for details of this disclosure). Therefore, Kronz in view of Srinivasan teach the user-configurable authorization module comprises an arbitration module.

Conclusion

11.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yan Chen whose telephone number is (571) 270-1926. The examiner can normally be reached on Monday through Friday 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Jeff Pwu can be reached on (571) 272-6798. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Y. C./

Examiner, Art Unit 2146

/JEFF PWU/

Supervisory Patent Examiner, Art Unit 2146